

1 John A. Russo, City Attorney (SBN 063203)
jrusso@oaklandcityattorney.org
2 Barbara Parker, Chief Asst. City Attorney (SBN 069722)
bparker@oaklandcityattorney.org
3 Mark Morodomi, Supervising Deputy City Attorney (SBN 120914)
mmorodomi@oaklandcityattorney.org
4 Kathleen Salem-Boyd, Deputy City Attorney (SBN 100179)
ksalemboyd@oaklandcityattorney.org
5 CITY OF OAKLAND, CALIFORNIA
One Frank H. Ogawa Plaza, 6th Floor
6 Oakland, California 94612
Telephone: (510) 238-3034
7 Facsimile: (510) 238-6500

8 [Additional Counsel Listed on Signature Page]

9 *Attorneys for Individual and Representative Plaintiff*
10 *City of Oakland, California*

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 (San Francisco Division)

14 CITY OF OAKLAND, CALIFORNIA, a
15 Municipal Corporation, on behalf of itself and
all other similarly situated,

16 Plaintiff,

17 v.

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19 AIG FINANCIAL PRODUCTS CORP., *et al.*

20 Defendants.
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Case No. CV-08-2116-JSW

**PLAINTIFF CITY OF OAKLAND,
CALIFORNIA'S NOTICE OF
PENDENCY OF OTHER ACTION OR
PROCEEDING PURSUANT TO CIVIL
LOCAL RULE 3-13**

The Honorable Jeffrey S. White

TO ALL PARTIES AND TO THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE that *City of Oakland, California v. AIG Financial Products Corp., et al.*, N.D.Cal. Case No. CV-08-2116-JSW involves all or a material part of the same subject matter and substantially the same parties as the following actions pending in other federal district courts:

- *Fairfax County, Virginia, et al. v. Wachovia Bank, N.A., et al.*, D.D.C. Case No. 1:08-cv-00432 (JR) (“*Fairfax I*”) and *Fairfax County, Virginia, et al. v. Bank of America, N.A.*, D.D.C. Case No. 1:08-cv-00433 (JR) (“*Fairfax II*”), are class actions involving claims that derivative issuers and brokers violated Section 1 of the Sherman Act by conspiring to rig bids. Seven municipal and state government entities filed both actions; three plaintiffs subsequently withdrew from *Fairfax I* and one withdrew from *Fairfax II*. Almost all of the *Fairfax I* named defendants are also defendants in *City of Oakland*. In *Fairfax II*, the sole defendant is Bank of America, N.A., also a defendant in *City of Oakland*.
- *Hinds County, Mississippi v. Wachovia Bank, N.A., et al.*, S.D.N.Y. Case No. 08-cv-2516 (LTS), is a class action involving claims that derivative issuers and brokers violated Section 1 of the Sherman Act by conspiring to rig bids. Almost all of the named defendants are also defendants in *City of Oakland*.
- *Haywood County, Tennessee v. Bank of America, N.A., et al.*, S.D.N.Y. Case No. 08-cv-3002 (LTS), is a class action involving claims that derivative issuers and brokers violated Section 1 of the Sherman Act by conspiring to rig bids. Each named defendant is also a defendant in *City of Oakland*.

Plaintiff City of Oakland believes that transfer may be effected pursuant to 28 U.S.C. § 1407 (Multi-District Litigation Procedures). Fairfax County moved to transfer related actions to the District of Columbia. (Revised Mot. to Transfer, *In Re: Municipal Derivatives Antitrust Litigation*, MDL No. 1950 (J.P.M.L. filed Mar. 19, 2008)). The *Fairfax I* defendants advocate transfer to the Southern District of New York. (Resp. to Revised Mot. for Transfer,

(filed Apr. 16, 2008)). Oakland filed a memorandum requesting transfer to the Northern District of California. (Interested Party Response of City of Oakland (filed May 6, 2008)).

Dated: May 8, 2008

Respectfully submitted,

LIEFF, CABRASER, HEIMANN & BERNSTEIN, LLP

By: /s/ Eric B. Fastiff
Eric B. Fastiff

Richard M. Heimann (State Bar No. 063607)

rheimann@lchb.com

Joseph R. Saveri (State Bar No. 130064)

jsaveri@lchb.com

Eric B. Fastiff (State Bar No. 182260)

efastiff@lchb.com

275 Battery Street, 30th Floor

San Francisco, CA 94111-3339

Telephone: (415) 956-1000

Facsimile: (415) 956-1008

John A. Russo, City Attorney (SBN 063203)

jrusso@oaklandcityattorney.org

Barbara Parker, Chief Asst. City Attorney (SBN 069722)

bparker@oaklandcityattorney.org

Mark Morodomi, Supervising Deputy City Attorney
(SBN 120914)

mmorodomi@oaklandcityattorney.org

Kathleen Salem-Boyd, Deputy City Attorney (SBN
100179)

ksalemboyd@oaklandcityattorney.org

CITY OF OAKLAND

One Frank H. Ogawa Plaza, 6th Floor

Oakland, California 94612

Telephone: (510) 238-3034

Facsimile: (510) 238-6500

James A. Quadra (SBN 131084)

quadra@meqlaw.com

Sylvia Sokol (SBN 200126)

sokol@meqlaw.com

MOSCONE, EMBLIDGE & QUADRA, LLP

220 Montgomery Street

Mills Tower, Suite 2100

San Francisco, CA 94104

Telephone: (415) 362-3599

Facsimile: (415) 362-2006

1 Steven E. Fineman (SBN 140335)
2 *sfineman@lchb.com*

3 Daniel E. Seltz
4 *dseltz@lchb.com*

5 LIEFF, CABRASER, HEIMANN & BERNSTEIN, LLP
6 780 Third Avenue, 48th Floor

7 New York, NY 10017

8 Telephone: (212) 355-9500

9 Facsimile: (212) 355-9592

10 *Attorneys for Individual and Representative Plaintiff*
11 *City of Oakland, California*